

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	No. 14-CR-415-JP
)	
PHILIP MADDALENI,)	
)	
Defendant.)	

**MOTION TO DISMISS INDICTMENT
WITH PREJUDICE AS TO DEFENDANT PHILIP MADDALENI**

The United States of America, by and through Damon P. Martinez, United States Attorney for the District of New Mexico, and William P. Pflugrath, Assistant U. S. Attorney for said district, hereby move this Court for an order dismissing the Indictment filed on February 12, 2014, on the grounds Defendant Philip Maddaleni pled guilty to an Information on October 14, 2014.

WHEREFORE, for the foregoing reasons, the United States respectfully requests the Indictment filed on February 12, 2014 be dismissed with prejudice as to Defendant Philip Maddaleni.

Respectfully submitted,

DAMON P. MARTINEZ
United States Attorney

Electronically filed 1/4/16
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I HEREBY CERTIFY that on the 4th day of January, 2016, I filed the foregoing pleading electronically through the CM/ECF system, which caused counsel of record to be served by electronic means.

Electronically filed on 1/4/16

William P. Pflugrath
Assistant United States Attorney